

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

IN RE:

**Project Development Group, Inc.
102 Technology Lane
Export, PA 15632**

DOCKET NO.: CAA-03-2004-0009

RESPONDENT

CONSENT AGREEMENT

I. PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Complainant, the Director of the Waste and Chemicals Management Division, U.S. Environmental Protection Agency, Region III ("EPA" or "Complainant"), and Respondent, Project Development Group, Inc., ("PDG, Inc."), and filed along with the attached Final Order pursuant to Section 113 of the Clean Air Act (the "Act"), 42 U.S.C. § 7413 and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R. Part 22, (the "Consolidated Rules of Practice"). The Consolidated Rules of Practice, at 40 C.F.R. § 22.13 provide, in pertinent part, that where the parties agree to settlement of one or more causes of action before the filing of a complaint, a proceeding simultaneously may be commenced and concluded by the issuance of a consent agreement and final order pursuant to 40 C.F.R. §§ 22.18(b)(2) and (3). This Consent Agreement, and the accompanying Final Order, address alleged violations by Respondent of Section 112 of the Clean Air Act, 42 U.S.C. § 7412 ("CAA" or the "Act") and regulations promulgated thereunder at 40 C.F.R. Part 61, Subpart M, the National Emission Standards for Hazardous Air Pollutants for Asbestos ("Asbestos NESHAP").

II. GENERAL PROVISIONS

2. Respondent admits to EPA's jurisdiction as set forth in this Consent Agreement.
3. Respondent neither admits nor denies the specific factual allegations and the conclusions of law set forth in this Consent Agreement and the attached Final Order.
4. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this Consent Agreement and the accompanying Final Order (collectively referred to as the "CAFO"), the issuance of the accompanying Final Order, or the enforcement of the

CAFO.

5. Respondent consents to the issuance of the accompanying Final Order, and to the terms and conditions set forth therein, and consents to the payment of a civil penalty as set forth in this CAFO.
6. Respondent agrees to pay its own costs and attorney fees.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

7. In accordance with 40 C.F.R. § 22.13(b) and 22.18(b)(2) and (3), EPA alleges the following findings of fact and conclusions of law:
 - A. Respondent, Project Development Group, Inc., is a corporation incorporated in the Commonwealth of Pennsylvania with a primary business address of 102 Technology Lane, Export, Pennsylvania 15632 and is a contractor specializing in asbestos abatement.
 - B. Respondent is a "person," as that term is defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e), and within the meaning of Section 113(d) of the Act, 42 U.S.C. § 7413(d).
 - C. Pursuant to 40 C.F.R. § 61.141 "facility means any institutional, commercial, public, industrial, or residential structure, installation, or building..." The US Steel - Clairton Works - Benzol Water Treatment Plant ("US Steel") located at 400 State Street, Clairton, Pennsylvania, is a facility within the meaning of 40 C.F.R. § 61.141.
 - D. Pursuant to 40 C.F.R. § 61.141 "Regulated Asbestos-Containing Material ('RACM') means (a) friable asbestos material, (b) Category I nonfriable asbestos containing material ('ACM') that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations."
 - E. Pursuant to 40 C.F.R. § 61.141 "remove" means to take out any RACM or facility components that contain or are covered with RACM from any facility.
 - F. Pursuant to 40 C.F.R. § 61.141 "renovation" means altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component.

- H. Pursuant to 40 C.F.R. § 61.141 "owner or operator of a demolition or renovation activity" means any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, or both.
- I. Respondent, at the time of the renovation operations for US Steel, which began in November 2002, was the "operator" as the term is defined by 40 C.F.R. § 61.141.
- J. 40 C.F.R. § 61.145(b) provides, in pertinent part, that each owner or operator of a demolition or renovation activity to which this section applies shall: (1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable. (2) Update notice, as necessary, including when the amount of asbestos affected changes by at least 20 percent. (3) Postmark or deliver the notice...(i) at least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material)...
- K. On November 12, 2002, EPA received notification of an asbestos renovation project at US Steel. The project involved the removal of 900 square feet of asbestos pipe insulation and 700 square feet of asbestos tank insulation.
- L. According to the asbestos notification, the removal was to begin on November 21, 2002. Therefore, the notification needed to be postmarked by November 7, 2002, to fulfill the requirement. However, it was postmarked on November 12, 2002.
- M. Since the asbestos project notification for US Steel was mailed late, Respondent violated the notification requirements of 40 C.F.R. § 61.145(b).

IV. SETTLEMENT RECITATION

Compliance

- 8. Respondent herein certifies to Complainant and to EPA that, upon investigation, to the best of its knowledge and belief, it presently is in compliance with the provisions of the Act, and the regulations promulgated thereunder, that are referenced in this Consent Agreement and that all violations alleged in the Consent Agreement have been remedied.

Civil Penalty

- 9. In settlement of the allegations enumerated above, Respondent agrees to pay a civil penalty amount of two hundred twenty dollars (\$220.00) in full satisfaction of the claim

alleged in this consent agreement. The aforesaid settlement amount is based upon Complainant's consideration of a number of factors, including, but not limited to, Section 113, 42 U.S.C. § 7413 penalty assessment criteria, including the seriousness of Respondent's violation and Respondent's good faith efforts to comply as provided in the Clean Air Act Stationary Source Civil Penalty Policy, Appendix III, and the Asbestos NESHAP, as set forth at 40 C.F.R. Part 61, Subpart M. Such payment shall be made by Respondent no later than thirty (30) days after the effective date of the accompanying Final Order.

10. Payment of the civil penalty amount required under the terms of Paragraph 9, above, shall be made by either cashier's check, certified check or electronic wire transfer. All checks shall be made payable to "Treasurer, United States of America" and shall be mailed to the attention of U.S. EPA Region III, P.O. Box 360515, Pittsburgh, Pennsylvania 15251-6515 (overnight deliveries shall be sent to Mellon Client Service Center, 500 Ross Street, Room 670, Pittsburgh, PA 15262-0001, ATTENTION: U.S. EPA, Region III, P.O. Box 360515). All payments made by check also shall reference the above case caption and docket number (CAA-03-2004-0009). All electronic wire transfer payments shall be directed to Mellon Bank, Pittsburgh, PA, ABA No. 043000261, crediting account number 9108552, lockbox 36051. At the same time that any payment is made, copies of any corresponding check, or written notification confirming any electronic wire transfer, shall be mailed to Lydia A. Guy, Regional Hearing Clerk (3RC00), U.S. EPA, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029 and to Kyla L. Townsend-McIntyre (3WC32), Waste and Chemicals Management Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029.
11. The Respondent agrees not to deduct for federal tax purposes the civil penalty specified in this Consent Agreement and the accompanying Final Order.

Reservation of Rights

12. This Consent Agreement and the attached Final Order only resolve the claim which is alleged in Paragraph 7, above. Nothing herein shall be construed to limit the authority of the EPA to undertake action against any person, including Respondent, in response to any condition which Complainant determines may present an imminent and substantial endangerment to the public health, public welfare or the environment. Nor shall anything in this Consent Agreement and the attached Final Order be construed to limit the United States' authority to pursue criminal sanctions.
13. EPA reserves any rights and remedies available to it to enforce the provisions of this Consent Agreement, the Act and its implementing provisions, and of any other federal laws or regulations for which it has jurisdiction, following the entry of this Consent Agreement.

Waiver of Hearing

14. For the purposes of this proceeding only, the Respondent hereby expressly waives its right to a hearing pursuant to Section 113(d)(2)(A) of the Act, 42 U.S.C. § 7413(d)(2)(A), concerning the finality or validity of this CAFO, or with respect to any issue of law or fact set forth in this CAFO. Respondent also waives its rights to appeal the accompanying Final Order.

Effective Date

15. The effective date of this Consent Agreement and the accompanying Final Order is the date on which the Final Order is filed with the Regional Hearing Clerk, U.S. EPA, Region III.

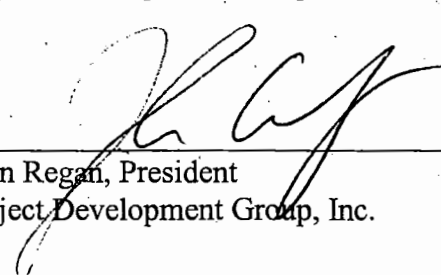
The undersigned representative of the Respondent certifies that they are fully authorized to execute this Consent Agreement and to legally bind the party they represent.

For Respondent

Project Development Group, Inc.:

11-25-03

Date

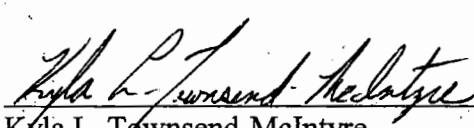


John Regan, President
Project Development Group, Inc.

For Complainant:

12/4/2003

Date

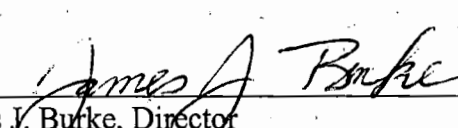


Kyla L. Townsend-McIntyre
Asbestos Enforcement Officer
U.S. Environmental Protection Agency, Region III

Accordingly, the Waste and Chemicals Management Division, United States Environmental Protection Agency, Region III, recommends that the Regional Administrator of EPA Region III or his designee, the Regional Judicial Officer, ratify this Consent Agreement and issue the accompanying Final Order. The amount of the recommended civil penalty assessment is two hundred twenty dollars (\$220.00).

1/17/04

Date



James J. Burke, Director
Waste and Chemicals Management Division
U.S. Environmental Protection Agency, Region III



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

IN RE:

Project Development Group, Inc.
102 Technology Lane
Export, PA 15632

Docket No. CAA-03-2004-0009

Final Order

Respondent

FINAL ORDER

Complainant, the Director of the Waste and Chemicals Management Division, U.S. Environmental Protection Agency - Region III, and Respondent, Project Development Group, Inc., have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22 ("Consolidated Rules of Practice"). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

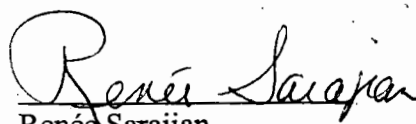
NOW, THEREFORE, PURSUANT TO Section 112 of the Clean Air Act, *as amended*, 42 U.S.C. § 7412 ("CAA"), and the Consolidated Rules of Practice, and having determined that the penalty agreed to in the Consent Agreement is based on a consideration of the factors set forth in Section 112 of CAA, 42 U.S.C. § 7412, **IT IS HEREBY ORDERED** that Respondent pay a penalty of two hundred twenty dollars (\$220.00), and comply with the terms and conditions of the Consent Agreement.



*Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.
Customer Service Hotline: 1-800-438-2474*

The effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

1/26/04
Date



Renée Sarajian

Regional Judicial Officer

U.S. Environmental Protection Agency, Region III



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

IN RE:

Project Development Group, Inc.
102 Technology Lane
Export, PA 15632

Docket No. CAA-03-2004-0009

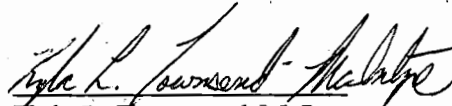
Respondent

CERTIFICATE OF SERVICE

I hereby certify that the original of the foregoing Consent Agreement and Final Order for the above-referenced matter were hand-delivered to the Regional Hearing Clerk, EPA Region III, and that true and correct copies were mailed via certified mail, return receipt requested, postage prepaid, to the following person:

John Reagan, President
Project Development Group, Inc.
102 Technology Lane
Export, PA 15632

1/27/2004
Date


Kyla L. Townsend-McIntyre

Enforcement Officer

U.S. Environmental Protection Agency, Region III

A. Case and Facility Background

1. Court Docket/Regional Hearing Clerk Administrative Docket _____
2. Respondent (Enforcement Action) Name Project Development Group, Inc. Respondent is a Small Business (<100 employees)? Yes/N
3. Facility Name(s) Project Development Group, Inc.
4. Facility Address: Street: 102 Technology Lane City: Export County: N/A St: PA Zip: 15632
- 5.(a) Primary 4-digit SIC-code 1799 (b) Other 4-digit SIC-codes _____ Federal Facility? (Y/No)
- 6.(a) EPA Lead Attorney N.A (b) EPA Technical Contact Kyla L. Townsend-McIntyre
7. Law(s) and Section(s) violated (e.g. CAA/112, EPCRA/313, etc.) (Not U.S.C. or CFR) CAA/ 112 / _____
8. Action Type:
- ___ (a) Consent decree or court order resolving a civil judicial action ___ (e) Field citation
- ___ (b) Admin. Penalty Order (with/without injunctive relief) ___ (f) Administrative Compliance Orders
- ___ (c) Superfund Admin. cost recovery agreement X (g) Notice of Determination (NOD) or Notice of Non-Compliance ___ (d) Fed. facilit compl. agreement (not incl. RCRA matters)
9. Administrative action date: Issued _____ Final Order/CAFO/Field citation/NOD _____ (Clocked in with Regional Hearing Clerk)
- OR-Civil action date: Complaint Filed _____ CD Lodged _____ CD Entered _____
10. Was any part of this action multi-media? (Y/N) If Yes, ✓ option(s): _____ Complaint _____ Settlement _____ SEP
11. Was this action a part of a community-based/geographic initiative? (Y/N) Description: _____
12. Was the Agency activity taken in response to Environmental Justice concerns? (Y/N) If yes, ✓ option(s):
- ___ Low Income ___ Minority Population & Low Income ___ Minority Population ___ Other
13. Was Alternative Dispute Resolution used in this action? (Y/N)

B. Compliance Actions (Non-SEP)(APO's w/o inj. relief [8(b) above], Superfund Admin Cost Recovery Agreements[8(c) above] SKIP THIS SECTION)

14. What action did violator accomplish prior to receipt of settlement/order or will take to return to compliance or meet addl. requirements? This may be due to settlement/order requirements or otherwise required by statute or regulation (e.g. actions related to an APO which did not specify compliance requirements). Where separate penalty and/or compliance orders are issued in connection w/same violation(s), report the following information for only one of those orders. Select response(s) from the following:

Physical Actions (Complete entire question 16)

- ___ Best Management Practices (Includes O&M)
- ___ Disposal Change
- ___ Emissions/Discharge Change(install/modify controls)
- ___ Industrial Process Change
- ___ RD/RA or RA only
- ___ Remediation
- ___ Removal
- ___ Restoration
- ___ Storage Change
- ___ Use Reduction
- ___ Other (please describe) _____

Non-Physical Actions

- ___ Auditing
- ___ Developing a Plan
- ___ Environmental Management Review
- ___ Information Letter Response
- ___ Labeling/Manifesting/Registering
- ___ Monitoring/Sampling
- ___ No Action, Penalty Only
- ___ Permit Application
- ___ Provide Site Access
- ___ Public Notice
- ___ Recordkeeping
- X Reporting
- ___ RI/FS or RD
- ___ Site Assessment/Site Characterization
- ___ Testing
- ___ Training

15. Cost of actions described in item #14. (Actual cost data supplied by violator is preferred figure.)

Physical actions: \$ _____

Non-Physical actions: \$ 220.00

16. Quantitative environmental impact of actions described in item #14. (Add additional pollutants on blank sheet)

REDUCTIONS/ELIMINATIONS/TREATMENT/PROPER MANAGEMENT

Pollutant/Chemical/Waste Stream

Annual Amount Unit

Media (Indicate media for each pollutant)

- Air
- Drinking Water
- Groundwater
- Surface Water
- Land (RCRA Regulatory Only)
- Sediment (CERCLA/RCRA Corr. Action)
- Soil (RCRA Regulatory Only)
- Wetlands
- None of Above (FIFRA/TSCA case)

C. Supplemental Environmental Project (SEP) Information (Y/N) If Yes, ✓ option(s) below:

17. Categories of SEP(s) (Check all appropriate categories; if none proceed to Section D or E)

___ (a) Public Health

Cost

- (1) equipment technology modifications
- (2) process/procedure modification
- (3) product reformulation/re-design
- (4) raw materials substitution
- (5) improved housekeeping/O&M/training/inventory-control
- (6) in-process recycling
- (7) energy efficiency/conservation
- (c) Pollution Reduction (Complete Q. 21)
- (d) Environmental Restoration and Protection
- (e) Assessments and Audits
- (f) Environmental Compliance Promotion
- (g) Emergency Planning and Preparedness
- (h) Other SEP category (specify) _____

18. SEP description _____

19. Cost of SEP. Cost calculated by the Project Model is preferred. \$ _____

20. Is Environmental Justice addressed by impact of SEP? (Y/N) _____

21. Quantitative environmental pollutants and/or chemicals and/or waste-streams, amount of reductions/eliminations (e.g., emissions/discharges)

Pollutant/Chemical Waste Stream	Annual Amount	Unit	Media (Indicate media for each pollutant)
			Air
			Drinking Water
			Groundwater
			Surface Water
			Land (RCRA Regulatory Only)
			Sediment (CERCLA/RCRA Corr. Action)
			Soil (RCRA Regulatory Only)
			Wetlands
			None of Above (FIFRA/TSCA case)

22.(a) Assessed Penalty \$ 220.00

23.(b) (if shared) Federal share \$ 0

24.(c) (if shared) State or Local share \$ 0

25. For multi-media actions, Federal amounts by statute: Statute

Amount

\$ _____
\$ _____

E. Cost Recovery

26. Amount cost recovery awarded: \$ _____ EPA \$ _____ State and/or Local Government \$ _____ Other

F. MOA PRIORITY FY 2002/2003 ACTIVITY (Y/N) If Yes, ✓option(s) below:

Wet Weather: CSO (CSO) ___; CAFO (AFLOT) ___; Stormwater (STORM) ___; Sanitary Sewer Overflow (SSO) ___

Petroleum Refining - Refinery Fuel Gas (REFFG); SDWA Microbial: RCRA Permit Evaders: (RCRPE) _____; CAA Air Toxics and NSR/PSD: (NSR); (PSD)(Coal-Fired Power Plant) SIC 4911, _____

G. SELF-DISCLOSURE

27. Voluntary Self-Disclosure Policy Requested? (Y/No) Date Violation Disclosed: - / - / -

28. Comments: _____

29. Disclosure under Audit Policy? (Y/N) (If yes, you should NOT enter information in the SBREFA or Small Business fields)

30. Disclosure under EPA's Small Business Policy (<100 employees)? (Y/N)

31. Disclosure Received by an Office other than OECEJ? (Y/N) If yes, Office: _____

32. Disclosure Part of Media/Sector Initiative? (Y/N) If yes ✓option: [] AIRL - Airlines [] INOC - Industrial Organic Chemical

[] Common Sense Initiative [] ELPE nvironmental Justice Concerns [] Iron and Steel Minimills [] INYO - Industrial Vegetable Oil

[] NESS [] Project XL [] Stormwater - Construction [] Stormwater - Industrial [] Stormwater - Municipal [] SDWAUIC Class V Tribal Initiative [] TELE -

Telecommunications [] TSCA Lead 1018 Initiative [] TS12 - TSCA 12B [] TS8E - TSCA 8E [] Unknown

33. Disclosure Part of Compliance Incentive Program Listing? (Y/N) If yes ✓option: [] Bakers CFC Partnership Program [] CMOM POTW

Program [] Colleges & Universities Program [] Grain Processing Program [] Industrial Organic Chemical Program [] Lead Disclosure

Program [] National Iron & Steel Incentive Program [] Oil & Gas Program [] Prisons Program [] Storage Tanks Emissions Program

Reduction Partnership Program [] Stormwater/Commercial Development Program [] Telecommunications Incentive Program [] Wood treater

Penalty Information for Audit Policy Cases only: (All fields required for Audit Policy)

- (a) Penalty Calculation Before Mitigation: \$ _____
- (b) Gravity Based Penalty Waived: _____ % or \$ _____
- (c) Gravity Based Penalty Assessed: \$ _____
- (d) Economic Benefit Assessed: \$ _____

36. Rationale for Not Applying Disclosure Policy (Use only if 36B or 36C above is zero)

- ☐ No Violation Occurred ☐ Not a Systematic Discovery ☐ Discovery Not Voluntary
- ☐ Disclosure Not Prompt ☐ Entity Had Repeat Violations ☐ Agreement or Order Violated
- ☐ Cooperation Insufficient ☐ Violation(s) Not Corrected Exeditiously
- ☐ Discovery and Disclosure Not Independent ☐ Actual Serious Harm or Imminent & Substantial Endangerment
- ☐ Federal Facility That Would Not Be Liable for a Penalty

CONCURRENCES								
SYMBOL	3WC32	3WC32	3WC32	3RC10				
SURNAME	K. Townsend	R. Davis	H. Davis	R. Smolki				
DATE	12/11/03		12/16/07	8/25/11				

(ASSIGNED BY DATA ANALYST) OECA DOCKET SYSTEM # 03 - 2004 - 0009**NON-CERCLA ADMINISTRATIVE CASE DATA FORM**

(RESERVED FOR DATA ANALYST'S USE) FINDS ID NO.: _____

RESPONDENT (CASE) NAME: Project Development Group, Inc.
(Primary Respondent's Name)DOCKET NUMBER: CAA-03-2004-0009 TYPE CASE: 112 (See Attached Listing)
(Regional Hearing Clerk #)REGIONAL TECHNICAL CONTACT: Kyla L. Townsend-McIntyre REGIONAL ATTORNEY: N/A
Phone: 215-814-2045 Phone: n/aFACILITY NAME (if different than Respondent (Case) Name: Project Development Group, Inc.Street: 102 Technology Lane City: Export County: _____ State: PA Zip Code: 15632
FACILITY ADDRESS (Pls. use the location of the facility where the violation(s) occurred, not a P.O. Box Number):FACILITY 4-DIGIT SIC Code(s): 17 99 _____ Federal Facility? Y/NLAW/SECTION: CAA / 112 , CAA / 113 (See Attached Listing)
(Statute/Section violated) (List Primary Law/Section First) (Add additional law/sections on blank sheet)DATE COMPLAINT/AO/NOTICE OF DETERMINATION FILED: _____ / _____ / _____
(Is this an amended complaint?) Y/N y(Clocked in with Regional Hearing Clerk)PROPOSED PENALTY: \$ 220.00 (Penalty in Complaint)Multi-Media Action? Y/N If yes, ✓ option(s): Inspection Complaint Settlement SEPCommunity/Geographically-Based Initiative? Y/N If yes:
Describe: _____

Environmental Justice? Y/N If yes, ✓ option(s):

____ EJB (Env Justice-Minority Population & Low Income)
____ EJM (Env Justice-Minority Population)____ EJI (Env Justice-Low Income)
____ EJO (Env Justice-Other)Audit Policy Applied? Y/N If Yes, Disclosure Date: _____ / _____ / _____
y (Date of the disclosure letter)

Is this action to ENFORCE an ADMINISTRATIVE ORDER? Y/N

Is the State DELEGATED for the program? Y/N

Category of VIOLATOR (✓ appropriate category):

RCRA _____ SNC (Significant Noncomplier or Significant Violator)
_____ MEDP (Medium Priority Violator)
_____ NSHP (Non-SNC High Priority Violator)
_____ LOWP (Low Priority Violator)

CWA _____ SNC (Significant Noncomplier or Significant Violator)
_____ NSMN (Non-SNC Minor)
_____ NSMJ (Non-SNC Major) _____ N/A (Not Applicable)

CAA _____ SV (Significant Violator)
X NSV (Nonsignificant Violator) _____ N/A (Not Applicable)

TSCA, FIFRA _____ SNC (Significant Noncomplier or Significant Violator)
SDWA, EPCRA _____ N/A (Not Applicable - EPCRA only)
_____ NSV (Nonsignificant Violator) **MPRSA** _____ MPRS

VIOLATION TYPE(S): TSCA ASBSCL POLLUTANT(S): _____
(See attached violation type listing; add additional violations and pollutants on blank sheet)

RELIEF SOUGHT: (✓ as many lines as apply)

___ COL (Collection of a pre-existing debt) X PEN (Penalty)
___ INJ (Injunctive Relief) _____ CRA (Cost Recovery)

CFR Violation Citation(s): 40 CFR 61.145(b)(3)(i) 40 CFR _____
40 CFR _____ 40 CFR _____
40 CFR _____ 40 CFR _____
(Add additional citations on blank sheet)

Case Summary: (Add additional Case Summary information on blank sheet)

Late NESHAP notification

**STANDARD FORM TO SPECIFY
OFFICE OF REGULATORY ENFORCEMENT
INVOLVEMENT IN CASES***

Case Name: Project Development Group, Inc.

Location of Facility: City: 102 Technology Lane County: N/A St: Export Zip: 15632

Forum: (Check One)

ALJ

EAB

____ District Court (Specify District: _____)

Status of case: (Check all that apply)

____ Prefiling, in development

Filed and pending

Filed and stayed

<u>X</u>	Filed and active
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 Dispositive pleadings imminent

Trial or hearing imminent

 Settlement negotiations ongoing

Primary Violation (narrative or listing of sections):

Respondent failed to: Submitted NESHAP notification form late [40 C.F.R. §61.145(b)(3)(i)].

Nationally Significant Issues(s): N/A

Regional legal and program staff contacts (name, phone numbers, FAX numbers):

Contact: Kyla L. Townsend-McIntyre (Phone: 215-814-2045 / FAX: 215-814-3113)

Nature of Office of Regulatory Enforcement involvement/assistance proposed by Region:

N/A

Signature: Glen J. Dondiller
Appropriate Regional Manager

12/16/03
Date Signed

Concur: _____
Appropriate ORE Manager

Date Signed _____

*Nationally Significant Issues Form

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM

TO BE FILLED OUT BY ORIGINATING OFFICE:

(Attach a copy of the final order and transmittal letter to Defendant/Respondent)

This form was originated by: Kyla L. Townsend-McIntyre
Name of Contact person

1/26/2004
Date

in the Pesticides/Asbestos Programs & Enforcement Branch (3WC32)
Office

at 215-814-2045
Phone number

_____ Non-SF Jud. Order/Consent
Decree. DOJ COLLECTS

_____ Administrative Order/
Consent Agreement.
FMD COLLECTS PAYMENT

_____ SF Jud. Order/Consent
Decree. FMD COLLECTS

_____ This is an original debt

_____ This is a modification

Name of Person and/or Company/Municipality making the payment

Project Development Group, Inc.

The Total Dollar Amount of Receivable \$220.00

(If in installments, attach schedule of amounts and respective due dates)

The Case Docket Number CAA-03-2004-0009

The Site-Specific Superfund Acct. Number N/A

The Designated Regional/HQ Program Office Pesticides/Asbestos Programs and Enforcement Branch (3WC32)

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

The IFMS Accounts Receivable Control Number _____

If you have any questions call: _____

_____ Name of Contact

_____ Date

in the Financial Management Office, phone number: _____

JUDICIAL ORDERS: Copies of this form with an attached copy of the front page of the final judicial order should be mailed to:

1. Rosemarie Paceco
Environmental Enforcement Section
Lands Division, Room 130044
1425 New York Avenue, N.W.
Washington, D.C. 20005

2. Originating Office (ORC)
3. Designated Program Office

ADMINISTRATIVE ORDERS: Copies of this form with an attached copy of the front page of the administrative order should be sent to:

1. Originating Office
3. Regional Hearing Clerk

2. Designated Program Office
3. Regional Counsel